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EXAMINER

KEATON, SHERROD L

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/691,715	<b>Applicant(s)</b> DAVIS, SCOTT	
	<b>Examiner</b> Sherrod Keaton	<b>Art Unit</b> 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is in response to the RCE filing of 4-27-2009. Claims 1-9 have been cancelled and claims 10-41 are pending and have been considered below:

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter. Claims 31, 34 and 35 disclose a means function. However, the instant claim language does not specify that the claimed invention includes hardware. The apparatus is not defined within the specification as hardware and as such, the language of the claim merely describes a computer program per se. This raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine, which would result in a practical application producing a concrete, useful and tangible result to form the basis of statutory subject matter under 35 USC 101.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-18, 20-22 24, 27, and 29, 30, 32, 33 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukui et al. (US 6940532 A1) in view of Arbab et al. (US 6778192 B2), Martinez et al (6147683), Ishikawa(5506951) and Guheen et al. ("Guheen" 20040107125 A1)

**Claim 16:** Fukui discloses one or more computer readable media comprising: stored computer executable instructions that when executed by a data processing device, provide a graphical user interface comprising:

a viewing region that provides a first user a window to observe at least a portion of information from a set of information (Column 8, Lines 21-29);

a scroll bar that maps to the set of information (Column 4, Lines 23-30), (Fig 4-7);

a slider associated with the scroll bar that is moved relative to the scroll bar to determine at least a portion of information that is displayed within the viewing region (Column 4, Lines 23-30), (Fig 4-7);

A storage component (Column 2, Lines 38-52)

With a location component (Column 2, Lines 38-52)

Fukui does not explicitly disclose, a location component that obtains a location of the user-identified item of interest, generates a graphical indicator for the item of interest and maps the graphical indicator to the scroll bar to provide the user with a visible indication of the location of the item of interest within the info.

However Arbab discloses a system and method for creating markers on scroll bars of a graphical user interface (Column 2, Lines 35-42). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add indicators to the scroll bar of Fukui. One would have been motivated to do add the indicators as an assistant to the markers. This provides dual identification, which is user-friendlier and can improve accuracy.

Nor does Fukui explicitly disclose wherein the system is configured for a user to change the location of the item of interest by moving the graphical indicator. However Ishikawa discloses a scroll bar with jump tags and further discloses dragging jump tag to a new position on the scroll bar (Fig 6a; Column 9, Lines 8-17). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow indicators to be moved in the modified Fukui as taught by Ishikawa. One would have been motivated to move indicators to a new position to provide flexibility to the system in allowing user to edit positions of interest.

Fukui does not explicitly disclose a shared environment wherein the computer readable media is configured to prevent redundant tracking wherein preventing redundant tracking includes allowing a second user access to the storage component to change the location of the item of interest. However Martinez discloses a graphical

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selection bar and further discloses a multi-user computing system (Column 3, Lines 10-12; Column 5, Lines 8-20) and therefore a user or users are allowed to select and deselect items. (Column 7, Lines 1-12). Therefore it is obvious to one having ordinary skill in the art at the time of the invention that the multi-user system can allow for one user to make the selection and a second user to change the point of interest and apply this functionality to Fukui as taught by Martinez. One would have been motivated to provide this functionality to allow cooperative processing thereby improving the operability the system.

Fukui nor Martinez disclose that the functionality of a first and second user concurrently modifying the item. However Guheen discloses the functionality of application sharing which allows multiple users to track other users' edits within an application (Page 43, Paragraph 1041). Therefore it would have been obvious to provide the application sharing functionality that allows tracking and editing (adding or removing markings, etc) in Fukui as taught by Guheen. One would have been motivated to provide the application sharing functionality in order to offer improved interactive communication between users with real time data exchange.

**Claim 10:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in Claim 16 and Fukui further discloses wherein the scroll bar is oriented orthogonal, parallel, acute, obtuse angle with respect to an axis of the viewing region (Column 4, Lines 24-30), (Fig. 4-7).

**Claim 11:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in Claim 16 and further discloses that wherein the computer readable media is configured to receive user identified the item of interest based on highlighting of the item via a mouse, keystroke, or audio stimulus (Martinez: Figure 5; Column 6, Lines 43-51).

**Claim 12:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in Claim 16 and further discloses wherein the computer readable media is configured to remove the graphical indicator from the scroll bar based on input unhighlighting the item of interest (Martinez: Column 7, Lines 1-12).

**Claim 13:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in Claim 16 above. Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface and further discloses allowing user to move down the scroll bar to stub points which activates the specific stub point (Column 4, Lines 45-67), (Column 5, Lines 61-67). Therefore it would have been obvious to one having ordinary skill in the art at the time of invention to allow the user to move slider to graphical indicator and invoke in the modified Fukui as taught by Arbab. One would have been motivated to allow user to move slider to the graphical indicator increase user friendliness, because in the case that there are multiple indicators user

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can slide to a specific point. Ishikawa also discloses jump tags that return user to item of interest by invoking the graphical indicator (abstract).

**Claim 14:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media of claim 16 wherein the computer readable media is configured to receive input invoking the graphical indicator via one or more of a mouse, a keystroke and an audio stimulus (Ishikawa: Column 3, Lines 61-66).

**Claim 15:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media of claim 13 above and Fukui further discloses the computer readable medium is configured to automatically return the item of interest within the viewing region based on input invoking the graphical indicator (Column 5, Lines 28-43).

**Claim 17:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in 16 above and Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface and allows user to identify multiple stub points (Column 2, Lines 35-42), (Column 4, Lines 9-23). Therefore it would have been obvious to one having ordinary skill in the art at the time of invention to associate graphical indicators with one or more additional items of interest in the modified Fukui as taught by Arbab. One would have been motivated to associate graphical indicators with one or more items of interest to allow the user to have more flexibility with the system, because many times there will be more than one point of interest.



**Claim 18:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in 16 above and Fukui further discloses wherein the graphical indicator is visible within the slider when the item of interest is visible within the viewing window (Column 3, Lines 55-69), (Column 4, Lines 1-9).

**Claim 20:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in 16 above and Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface (Column 2, Lines 35-42), and Fukui discloses a vertical and horizontal scroll bar (Figure 3-7). Therefore it would have been obvious to put stub points on the vertical and horizontal scroll bar to have multi-dimensional tracking. One would have been motivated to add the stub points to the horizontal scroll bar if there is extensive information that needs to be horizontally displayed.

**Claim 21:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in 16 above and Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface and further discloses an intelligence component that can designate points of interest and their importance (Column 4, Lines 23-39). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add an intelligence component to the modified Fukui as

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taught by Arbab. One would have been motivated to add the intelligence item to increase efficiency to the program, and flag items considered important to the program.

**Claim 22:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in 16 above and Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface and further discloses the intelligence comprises statistic, probability, an inference or classifier (Column 4, Lines 23-39).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add the intelligence to the modified Fukui as taught by Arbab. One would have been motivated to have these intelligence programs to check items that have a tendency to change.

**Claim 24:** Fukui, Arbab, Martinez and Guheen disclose a method that adds graphical indicia related to a point of focus to scroll bar as in Claim 23 above and Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface and further discloses multiple stub marks for specific locations (Column 4, Lines 9-22). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add multiple graphical indicia related to a point of focus to the scroll bar of the modified Fukui as taught by Arbab. One would have been motivated add multiple points to eliminate confusion of single or multiple points of interest.

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Fukui and Arbab do not explicitly disclose

Changing the location of the second point of focus based on user input moving the second graphical indicator on the scroll bar. However Ishikawa discloses a scroll bar with jump tags and further discloses dragging jump tags to a new position (Fig 6a; Column 6, Lines 21-24; Column 9, Lines 8-17). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow the second indicator to also be moved in the modified Fukui as taught by Ishikawa. One would have been motivated to move multiple indicators to a new position to provide flexibility to the system by allowing user to edit positions of interest.

**Claim 25:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose adding a second graphical indicator to the scroll bar, the second graphical indicator is associated with the second user identified point of focus within the list as in Claim 23 above and Arbab further discloses a system and method for creating markers on scroll bars of a graphical user interface and further discloses allowing user to use multiple stub points in different positions (Column 4, Lines 9-22; Fig. 3). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow the indicator to be differentiated by position on the scroll bar of Fukui. One would have been motivated to differentiate the position to distinguish a level of importance between the points interest.

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**Claim 27:** Fukui discloses a method that returns a point of focus to a user

comprising:

obtaining a position of the point of focus from the graphical indicator (Column 4, Lines 40-50), (Column 6, Lines 23-60);

utilizing the position to locate the point of focus within data (Column 4, Lines 40-50), (Column 6, Lines 23-60).

Fukui discloses receiving a graphical indicator, said graphical indicator associated with the point of focus (Column 4, Lines 40-50), (Column 6, Lines 23-60) but does not explicitly disclose on the scroll bar. However Arbab discloses a system and method for creating markers on scroll bars of a graphical user interface (Column 2, Lines 35-42). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to include the graphical indicator on the scroll bar. One would have been motivated to do add the indicators as an assistant to the markers. This provides dual identification, which is user-friendlier and can improve accuracy.

Nor does Fukui explicitly disclose changing the location of the point of focus based on user input from a first user moving the graphical indicator on the scroll bar. However Ishikawa discloses a scroll bar with jump tags and further discloses dragging jump tag to a new position (Fig 6a; Column 9, Lines 8-17). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow indicators to be moved in the modified Fukui as taught by Ishikawa. One would have been motivated to

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move indicators to a new position to provide flexibility to the system in allowing user to edit positions of interest.

Fukui does not explicitly disclose changing the location of the point of focus based on user input from a second user moving the graphical indicator on the scroll. However Martinez discloses a graphical selection bar and further discloses a multi-user computing system (Column 3, Lines 10-12; Column 5, Lines 8-20) and therefore a user or users are allowed to select and deselect items (Column 6, Line 44-Column 7, Line12). Therefore it is obvious to one having ordinary skill in the art at the time of the invention that the multi-user system can allow for one user to make the selection and a second user to change the point of interest and apply this functionality to Fukui as taught by Martinez. One would have been motivated to provide this functionality to allow cooperative processing thereby improving the operability the system.

Fukui does not explicitly disclose preventing redundant tracking wherein preventing redundant tracking includes allowing the second user to access the stored location of the user-identified point of focus concurrently with the first user. However Guheen discloses the functionality of application sharing which allows multiple users to track other users' edits within an application (Page 43, Paragraph 1041). Therefore it would have been obvious to provide the application sharing functionality that allows tracking and editing (adding or removing markings, etc) in Fukui as taught by Guheen. One would have been motivated to provide application sharing in order to offer improved interactive communication between users with real time data exchange.

**Claim 29:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a method that returns a point of focus to a user as in Claim 27 above and further discloses automatically returning the point of focus to the first or second user based on the first or second user invoking the graphical indicator. (Fukui: Column 5, Lines 28-43).

**Claim 30:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a method that returns a point of focus to a user as in Claim 27 above and disclose returning the point of focus to the first or second user based on the first or second user manually navigating a slider proximate to the graphical indicator. Arbab discloses a system and method for creating markers on scroll bars of a graphical user interface and further discloses allowing user to navigate the slider to points of interest (Column 3, Lines 55-63), (Fig. 3). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow user the ability to manually navigate slider to points of interest in the modified Fukui as taught by Arbab. One would have been motivated to give the user the ability to control the slider manually in addition to automatic navigation to provide dual control in direction and access of points of interest in close proximity.

**Claim 32:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose the computer readable media as in Claim 20 above and further disclose associating as additional

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graphical indicator corresponding to one of the additional one or more scroll bars with the graphical indicator corresponding to the item of interest. Here Martinez discloses a graphical selection marker and method for lists that are larger than a display window and further discloses placing indicators on the multiple scroll bars regarding a point of interest (Column 8, Lines 23-38). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to include indicators on the multiple scroll bars of the modified Fukui as taught by Martinez. One would have been motivated to place multiple indicators on the scroll bars to provide improved accuracy on points of interest to the user.

**Claim 33:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable media as in claim 32 above and further disclose wherein the graphical user interface, upon receiving user input selecting any graphical indicator corresponding to the item of interest, automatically moves all sliders proximately to a location on each corresponding scroll bar of the graphical indicator corresponding to the item of interest. Fukui discloses automatically moving back to the point of interest (Column 5, Lines 40-62). Martinez discloses placing indicators on the multiple scroll bars regarding a point of interest (Column 8, Lines 23-38).

**Claim 40:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable medium as in 16, wherein the location component stores the location of the user identified item of interest in a queue until the location component is able to generate the

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graphical indicator for the item of interest; and further wherein the location component generates the graphical indicator and maps the graphical indicator to the scroll bar after the location component retrieves the location of the user identified item of interest from the queue (Martinez: Column 7, Lines 1-12). Here Martinez provides a data structure that provides an order of operation which is the definition of a queue (webopedia). Martinez maintains where items are selected and once a new item is selected the first item of selection highlighted will be removed and the new highlight will be displayed.

4. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukui et al. (US 6940532 A1), Arbab et al. (US 6778192 B2), Martinez et al (6147683), Ishikawa(5506951) and Guheen et al. ("Guheen" 20040107125 A1) as applied to Claim 16 above in further view Blumberg (6799303 B2).

**Claim 41:** Fukui, Arbab, Ishikawa, Martinez and Guheen disclose a computer readable medium of claim 16, but do not explicitly disclose wherein the scroll bar includes a circular dial, wherein the slider rotates around the circular dial and wherein a 360-degree rotation around the dial corresponds with traversing the information from one of: beginning to end and end to beginning. However Blumberg discloses a system with a circular scroll functionality that allows user to rotate with a 360 rotation (Figure 21;



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Column 16, Lines 33-41). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the circular scroll functionality in the modified Fukui as taught Blumberg. One would have been motivated to provide the functionality as an additional and enhanced design choice in reference to the scroll functionality.

5. Claims 23, 31, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukui et al. (US 6940532 A1) in view of Arbab et al. (US 6778192 B2), Martinez et al (6147683) and Guheen et al. ("Guheen" 20040107125 A1).

**Claim 23:** Fukui discloses a method comprising:

a.) receiving an input associated with the user-identified point of focus within a list from a first user (Column 4, Lines 9-22);

b.) obtaining a location of the user-identified point of focus within the list (Column 4, Lines 9-22);

storing the location of the user identified point of focus (Column 2, Lines 38-52)

c.) adding a first graphical indicator to the scroll bar, the first graphical indicator provides a relative location of the user-identified point of focus within the list (Column 4, Lines 9-22).

However Fukui does not explicitly disclose adding the indicia to the scroll bar. Arbab discloses a system and method for creating markers on scroll bars of a graphical user interface (Column 2, Lines 35-42).

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Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add graphical indicia related to a point of focus to the scroll bar of Fukui. One would have been motivated to have the point of focus added to the scroll bar to because scrolling through many rows of information can be difficult and the point can be missed and stub points with different levels of importance may be overlooked.

Nor does Fukui explicitly disclose a plurality of users in a shared environment or changing the location of the point of focus based on input from a second user of the plurality of users in the shared environment. However Martinez discloses a graphical selection bar and further discloses a multi-user computing system (Column 3, Lines 10-12; Column 5, Lines 8-20) and therefore a user or users are allowed to select and deselect items (Column 6, Line 44-Column 7, Line12). Therefore it is obvious to one having ordinary skill in the art at the time of the invention that the multi-user system allow for one user to make the selection and a second user to change the point of interest and apply this functionality to Fukui as taught by Martinez. One would have been motivated to provide this functionality to allow cooperative processing thereby improving the operability the system.

Fukui does not explicitly disclose preventing redundant tracking wherein preventing redundant tracking includes allowing the second user to access the stored location of the user-identified point of focus concurrently with the first user. However Guheen discloses the functionality of application sharing which allows multiple users to track other users' edits within an application (Page 43, Paragraph 1041). Therefore it would have been obvious to provide the application sharing functionality that allows

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tracking and editing (adding or removing markings, etc) in Fukui as taught by Guheen.

One would have been motivated to provide the application sharing functionality in order to offer improved interactive communication between users with real time data exchange.

**Claim 31:** Fukui discloses a system that graphically tracks user-identified foci comprising:

a.) means for identifying foci (Column 4, lines 30-59);

b.) means for generating graphical indicia associated with the foci (Column 4, Lines 30-59);

Fukui does not explicitly disclose

c.) means for associating the graphical indicia with a positioning mechanism;

d.) means for storing the location of the foci and

e.) means for employing the positioning mechanism in connection with the graphical indicia to view the foci.

However Arbab discloses a system and method for creating markers on scroll bars of a graphical user interface (Column 3, Lines 55-63). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to associate the indicator with the positioning mechanism and employ the connection with the view of

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Fukui. One would have been motivated to do so to give user a more accurate and efficient program for viewing and editing.

Fukui does not explicitly disclose

Means for moving the graphical indicia to change the location of the associated foci based on the user input from a first user in a shared environment, and to change the location of the associated foci based on input from a second user in the shared environment. However Martinez discloses a graphical selection bar and further discloses a multi-user computing system (Column 3, Lines 10-12; Column 5, Lines 8-20) and therefore a user or users are allowed to select and deselect items (Column 6, Line 44-Column 7, Line 12). Therefore it is obvious to one having ordinary skill in the art at the time of the invention that the multi-user system can allow for one user to make the selection and a second user to change the point of interest and apply this functionality to Fukui as taught by Martinez. One would have been motivated to provide this functionality to allow cooperative processing thereby improving the operability the system.

Fukui does not explicitly disclose preventing redundant tracking wherein preventing redundant tracking includes allowing the second user to access the stored location of the user-identified point of focus concurrently with the first user. However Guheen discloses the functionality of application sharing which allows multiple users to track other users' edits within an application (Page 43, Paragraph 1041). Therefore it would have been obvious to provide the application sharing functionality that allows tracking and editing (adding or removing markings, etc) in Fukui as taught by Guheen.

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One would have been motivated to provide the application sharing functionality in order to offer improved interactive communication between users with real time data exchange.

**Claim 34:** Fukui, Arbab, Martinez and Guheen disclose an apparatus as in claim 31 and further discloses wherein the means for identifying the foci is at least one of a mouse, a keystroke, or an audio stimulus (Fukui: Column 4, Lines 13-22).

**Claim 35:** Fukui, Arbab, Martinez and Guheen disclose an apparatus of claim 31 further disclose means for removing the graphical indicia (Martinez: Column 7, Lines 1-12).

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukui et al. (US 6940532 A1), Arbab et al. (US 6778192 B2), Ishikawa(5506951), Martinez et al (“Martinez” 6147683) and Guheen et al. (“Guheen” 20040107125 A1) as applied to claim 16 and in further view of Eisenberg (US 6331866 B1).

**Claim 19:** Fukui, Arbab, Martinez, Ishikawa and Guheen disclose computer readable media as in Claim 16 above but do not explicitly disclose the graphical indicator dynamically changes in size in response to a change in size in the set of information in

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order to maintain relative indication of the percentage of information. However Eisenberg discloses a display control for software notes and further discloses indicator being sized based on selected portion of information (Column 2, Lines 53-67), (Column 4, Lines 1-5). Therefore it would have been obvious to one having ordinary skill in the art the time of the invention to have an indicator in which size is adjusted based on information in the modified Fukui as taught by Eisenberg. One would have been motivated to have indicator size adjustment based on information to improve user navigation proficiency by distinguishing between points of slight interest and large points of focus on items that may need to be edited.

7. Claims 26 and 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukui et al. (US 6940532 A1), Arbab et al. (US 6778192 B2), Ishikawa(5506951), Martinez et al ("Martinez" 6147683) and Guheen et al. ("Guheen" 20040107125 A1) as applied to claim 23 and in further view of MacPhail (US 6924797 B1).

**Claim 26:** Fukui, Arbab, Martinez, Ishikawa and Guheen disclose a method that adds graphical indicia related to a point of focus to scroll bar as in Claim 23 above but do not explicitly disclose providing information indicative of the point of focus based on a pointer positioned proximate to the graphical indicia. However MacPhail discloses an arrangement of information into linear form for display on diverse display devices and further discloses placing pointer over selectable points to obtain information (Figure 2B;

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Column 9, Lines 15-26). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add the information display of MacPhail to the scroll bar of the modified Fukui as one would have been motivated to do have the information display for efficient recognition and selection.

**Claim 28:** Claim 28 is similar in scope to claim 26 and therefore rejected under the same rationale.

8. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez et al (6147683) in view of Guheen et al. ("Guheen" 20040107125 A1).

**Claim 36:** Martinez discloses one or more computer readable media storing computer executable

instructions, that when executed by a processor, perform a method comprising:

receiving an input associated with a user-identified point of focus within a list

from a first user of a plurality of users in a shared environment;

obtaining a location of the user-identified point of focus within the list;

storing the location of the user-identified point of focus;

adding a first graphical indicator to the scroll bar, the first graphical indicator

provides a relative location of the user-identified point of focus within the list; and

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changing the location of the point of focus based on input from a second user of the plurality of users in the shared environment. (Column 3, Lines 10-12; Column 5, Lines 8-20) Here Martinez discloses the multi-user system. (Figure 4; Column 6, Line 44-Column 7, Line12) Here a user or users select and deselect according to preference.

However Martinez does not explicitly disclose preventing redundant tracking wherein preventing redundant tracking includes allowing the second user to access the stored location of the user-identified point of focus concurrently with the first user. However Guheen discloses the functionality of application sharing which allows multiple users to track other users' edits within an application (Page 43, Paragraph 1041). Therefore it would have been obvious to provide the application sharing functionality that allows tracking and editing (adding or removing markings, etc) in Martinez as taught by Guheen. One would have been motivated to provide application sharing in order to offer improved interactive communication between users with real time data exchange.

9. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez et al ("Martinez" 6147683) and Guheen et al. ("Guheen" 20040107125 A1) as applied to claim 36 and in further view of Ishikawa(5506951).



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**Claim 37:** Martinez and Guheen discloses a computer-readable media as in claim 36, but does not explicitly disclose adding a second graphical indicator to the scroll bar, the second graphical

indicator associated with a second user-identified point of focus within the list; and changing the location of the second point of focus based on user input moving the second graphical indicator on the scroll bar. However Ishikawa discloses a scroll bar with jump tags and further discloses dragging jump tags to a new position (Fig 6a; Column 6, Lines 21-24; Column 9, Lines 8-17). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow the second indicator to also be moved in Martinez as taught by Ishikawa. One would have been motivated to move multiple indicators to a new position to provide flexibility to the system by allowing user to edit positions of interest.

**Claim 38:** Martinez, Guheen and Ishikawa disclose a computer-readable medium as in claim 37, and further disclose that the second graphical indicator is differentiated from the first graphical indicator by at least one of color, size, shape, and position (Martinez: Column 7, Line 65-Column 8, Line 12). Different selections are selected and shown in different positions on the scroll bar.

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10. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez et al ("Martinez" 6147683), Guheen et al. ("Guheen" 20040107125 A1) and Ishikawa(5506951) as applied to Claim 36 in further view of MacPhail (US 6924797 B1).

**Claim 39:** Martinez, Guheen and Ishikawa disclose a computer-readable medium as in claim 36, but do not explicitly disclose providing information indicative of the point of focus based on a pointer positioned proximate to the graphical indicator. However MacPhail discloses an arrangement of information into linear form for display on diverse display devices and further discloses placing pointer over selectable points to obtain information (Figure 2B; Column 9, Lines 15-26). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to add the information display of MacPhail to the scroll bar of Martinez as one would have been motivated to do have the information display for efficient recognition and selection.

### ***Response to Arguments***

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection as necessitated by the amendments.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SLK

7-1-09

/William L. Bashore/

Supervisory Patent Examiner, Art Unit 2175